

**CALFRESH REQUEST FOR POLICY INTERPRETATION****PI# 18-12**

**INSTRUCTIONS:** Complete items 1 - 10 on the form. Use a separate form for each policy interpretation request. If additional space is needed, please use the second page. Retain a copy for your records and submit via email to CalFresh-PI@dss.ca.gov.

**Please note:** the policy interpretation provided is based on the unique set of facts presented and should not be assumed to apply in all scenarios.

1. RESPONSE NEEDED DUE TO: <input type="checkbox"/> Policy/Regulation Interpretation <input checked="" type="checkbox"/> QC <input type="checkbox"/> Other:		5. DATE OF REQUEST: 02/02/2018	NEED RESPONSE BY: 02/02/2018
2. REQUESTOR NAME:		6. COUNTY/ORGANIZATION: Monterey County Department of Social Services	
3. PHONE NO.:      EMAIL:		7. SUBJECT: Comp II Budget - Variance Determination	
4. REGULATION CITE(S): N/A		8. REFERENCES: (Include ACL/ACIN, court cases, etc. in references) NOTE: All requests must have a regulation cite(s) and/or a reference(s). FNS 310 - 726.1	

## 9. QUESTION: (INCLUDE SCENARIO IF NEEDED FOR CLARITY):

Scenario: CFHH has income that exceeds the IRT in sample month 07/2017. Per FNS instruction 726.1 we would evaluate income from 3rd month prior to sample month (04/2017). The income in this scenario exceeds the IRT.

Question 1 : In Comp II are we using income from the Sample month 07/2017 or from the evaluated 3rd month 04/2017?

Question 2 : If the the 3rd month income is used is it converted or unconverted?

## 10. REQUESTOR'S PROPOSED ANSWER:

Proposed answer 1: The evaluated income from the 3rd month is used (04/2017) in Comp II.

Proposed answer 2: Unconverted Income from 3rd month prior to the sample would be used in Comp II.

## 11. STATE POLICY RESPONSE (CFPB USE ONLY):

Step 1: If comparison I results in a citable error of \$39 or more, because the S/M's unconverted income exceeds the HH's IRT and the HH was required to report income over the 130%, QC must follow the steps listed in Section 726.1. If the sample month was the first or second effective month of an initial certification action, the review procedures in this step shall not be undertaken, since insufficient time would have passed for any changes to occur which would be required to be acted on by the review date.

Step 2: QC must evaluate income from the month prior to the S/M, if the unconverted income exceeds the HH's IRT, QC must proceed to evaluate income from the 2nd month prior to the S/M, if the unconverted income exceeds the HH's IRT, QC will only evaluate a 3rd month's income when the month prior to the S/M contains 30 days or less. (Next page)

**FOR CDSS USE**

DATE RECEIVED: Florence McGuire	DATE RESPONDED TO COUNTY/ALJ: 02/02/2018
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**CALFRESH REQUEST FOR POLICY INTERPRETATION (Continued)****PI#18-12**

1. RESPONSE NEEDED DUE TO: <input type="checkbox"/> Policy/Regulation Interpretation <input type="checkbox"/> QC <input type="checkbox"/> Other:		5. DATE OF REQUEST:	NEED RESPONSE BY:
2. REQUESTOR NAME:		6. COUNTY/ORGANIZATION:	
3. PHONE NO.:	EMAIL:	7. SUBJECT:	
4. REGULATION CITE(S):		8. REFERENCES: <i>(Include ACL/ACIN, court cases, etc. in references)</i> <b>NOTE: All requests must have a regulation cite(s) and/or a reference(s).</b>	

If the 3rd month's income does not exceed the HH's IRT, Comparison II will be based on the EW's corrected figures. If the 3rd month's income exceeds the HH's IRT; QC will apply CA's policy (ACL 12-25, page 27) in determining whether the income must be converted to a monthly amount in order to determine the allotment amount for Comparison II.

SQC will attach a flow-chart of Section 726.1 that will provide further guidance.